

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOHN R. JORDAN, JR.,

Plaintiff,

No. CIV S-03-1820 LKK KJM P

vs.

CAL A. TERHUNE, et al.,

Defendants.

ORDER

Plaintiff is a state prisoner proceeding pro se and in forma pauperis with an action filed pursuant to 42 U.S.C. § 1983. By order filed May 18, 2005, plaintiff's motion to file an amended complaint was granted. Plaintiff has filed an amended complaint.

The amended complaint states a cognizable claim for relief under 42 U.S.C. § 1983 and 28 U.S.C. § 1915A(b). If the allegations of the amended complaint are proven, plaintiff has a reasonable opportunity to prevail on the merits of this action.

In accordance with the above, IT IS HEREBY ORDERED that:

1. Service is appropriate for the following defendants: Eder, Cobb, Wright, Felker, Kopec, Boitano, Fleischman, Wong, Platt, Mericle, McCraw, McGuire, Kaptor, Brown Lopez, Miranda, Armoskus, Vanderville, Dreith; Peck (insofar as the complaint alleges he made a false charge against plaintiff for pursuing his civil rights action in ¶ 116); Cox (insofar as the

1 complaint alleges he refused to make copies of plaintiff's pleadings); and Rohlfing (as alleged in  
2 ¶ 146).

3 2. The Clerk of the Court shall send plaintiff twenty-two USM-285 forms, one  
4 summons, an instruction sheet and a copy of the amended complaint filed June 20, 2005.

5 3. Within thirty days from the date of this order, plaintiff shall complete the  
6 attached Notice of Submission of Documents and submit the following documents to the court:

7 a. The completed Notice of Submission of Documents;

8 b. One completed summons;

9 c. One completed USM-285 form for each defendant listed in number 1  
10 above; and

11 d. Twenty-three copies of the endorsed amended complaint filed June 20,  
12 2005.

13 4. Plaintiff need not attempt service on defendants and need not request waiver of  
14 service. Upon receipt of the above-described documents, the court will direct the United States  
15 Marshal to serve the above-named defendants as provided by Federal Rule of Civil Procedure 4  
16 without payment of costs.

17 DATED: December 7, 2005.

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20 UNITED STATES MAGISTRATE JUDGE  
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NOTICE OF SUBMISSION

OF DOCUMENTS

\_\_\_\_\_/

Plaintiff hereby submits the following documents in compliance with the court's  
order filed \_\_\_\_\_:

\_\_\_\_\_ completed summons form

\_\_\_\_\_ completed USM-285 forms

\_\_\_\_\_ copies of the \_\_\_\_\_  
Amended Complaint

DATED:

\_\_\_\_\_  
Plaintiff